

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: Case No. 07-md-1902 (GEL)
In re REFCO, INC. SECURITIES LITIGATION :
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This Document Relates To:

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KENNETH M. KRYSS and CHRISTOPHER :
STRIDE, as JOINT OFFICIAL LIQUIDATORS :
of SPHINX LTD., SPHINX STRATEGY FUND : Case No. 08-cv-3065 (GEL)
LTD.; :
SPHINX PLUS SPC LTD., SPHINX : Case No. 08-cv-3086 (GEL)
DISTRESSED LTD., SPHINX MERGER :
ARBITRAGE LTD.; SPHINX SPECIAL :
SITUATIONS LTD., SPHINX MACRO LTD.; :
SPHINX LONG/SHORT EQUITY LTD.; :
SPHINX MANAGED FUTURES LTD.; SPHINX :
EQUITY MARKET NEUTRAL LTD.; SPHINX :
CONVERTIBLE ARBITRAGE LTD.; SPHINX :
FIXED INCOME ARBITRAGE LTD.; SPHINX :
DISTRESSED FUND SPC; SPHINX MERGER :
ARBITRAGE FUND SPC; SPHINX SPECIAL :
SITUATIONS FUND SPC; SPHINX MACRO :
FUND SPC; SPHINX LONG/SHORT EQUITY :
FUND SPC; SPHINX MANAGED FUTURES :
FUND SPC; SPHINX EQUITY MARKET :
NEUTRAL FUND SPC; SPHINX :
CONVERTIBLE ARBITRAGE FUND SPC; :
SPHINX FIXED INCOME ARBITRAGE FUND :
SPC; PLUSFUNDS MANAGED ACCESS FUND :
SPC LTD.; KENNETH M. KRYSS and :
CHRISTOPHER STRIDE as assignees of claims :
assigned by MIAMI CHILDREN'S HOSPITAL :
FOUNDATION, OFI, GREEN & SMITH :
INVESTMENT MANAGEMENT LLC, THALES :
FUND MANAGEMENT LLC, KELLNER :
DILEO & CO., LLC, MARTINGALE ASSET :
MANAGEMENT LP, LONGACRE FUND :
MANAGEMENT LLC, ARNHOLD & S. :
BLEICHROEDER ADVISERS LLC, PICTET & :
CIE, RGA AMERICA REINSURANCE :
COMPANY, DEUTSCHE BANK (SUISSE) SA, :
ARAB MONETARY FUND, HANSARD :
INTERNATIONAL LTD., CONCORDIA :

ADVISORS LLC, GABELLI SECURITIES, INC.,
CITCO GLOBAL CUSTODY; and JAMES
P. SINCLAIR as Trustee of the SPHINX TRUST,

Plaintiffs,

-against-

CHRISTOPHER SUGRUE; MARK
KAVANAGH; BRIAN OWENS;
PRICewaterHOUSECOOPERS L.L.P.; MARI
FERRIS; PRICewaterHOUSECOOPERS
CAYMAN ISLANDS; GIBSON, DUNN &
CRUTCHER LLP; REFCO ALTERNATIVE
INVESTMENTS LLC; GRANT THORNTON
LLP; MARK RAMLER; ERNST & YOUNG U.S.
LLP; MAYER BROWN LLP f/k/a MAYER
BROWN ROWE & MAW LLP; JOSEPH
COLLINS; EDWARD S. BEST; PAUL KOURY;
PHILLIP R. BENNETT; ROBERT C. TROSTEN;
TONE GRANT; SANTO MAGGIO; THOMAS
HACKL; DENNIS KLEJNA; BAWAG P.S.K.
BANK FUR ARBEIT UND WIRTSCHAFT UND
OSTERREICHISCHE POSTPARKASSE
AKTIENGESELLSCHAFT; JP MORGAN
CHASE & CO.;
CREDIT SUISSE SECURITIES
(USA) LLC f/k/a CREDIT SUISSE FIRST
BOSTON LLC; BANC OF AMERICA
SECURITIES LLC; THOMAS H. LEE
PARTNERS, L.P.; THOMAS H. LEE
ADVISORS, LLC; THL MANAGERS V, LLC;
THL EQUITY ADVISORS V, L.P.; THOMAS H.
LEE EQUITY FUND V, L.P.; THOMAS H. LEE
PARALLEL FUND V, L.P.; THOMAS H. LEE
EQUITY (CAYMAN) FUND V, L.P.; THOMAS
H. LEE INVESTORS LIMITED PARTNERSHIP;
1997 THOMAS H. LEE NOMINEE TRUST;
THOMAS H. LEE; DAVID V. HARKINS;
SCOTT L. JAECKEL; SCOTT A. SCHOEN;
WILLIAM T. PIGOTT; LIBERTY CORNER
CAPITAL STRATEGIES, LLC; EMF
FINANCIAL PRODUCTS LLC; EMF CORE
FUND LTD.; DELTA FLYER FUND LLC; ERIC
M. FLANAGAN; INGRAM MICRO, INC.; CIM
VENTURES, INC.; BECKENHAM TRADING
CO., INC.; ANDREW KRIEGER; COAST
ASSET MANAGEMENT, LLC, f/k/a COAST
ASSET MANAGEMENT LP; CS LAND

MANAGEMENT LLC; CHRISTOPHER
PETTIT; and REFCO GROUP HOLDINGS, :
INC.; and REFCO ASSOCIATES, INC., :

Defendants :

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STATE OF NEW YORK)

S.S.:

COUNTY OF NEW YORK)

TIMOTHY M. BOTTI, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 16th day of April 2008, at approximately 3:15 p.m., deponent served a true copy of the **A Federal Summons issued in Civil Actions 08-cv-3065 and 08-cv-3086, A Notice of Removal Filed by Defendant BAWAG, 08-cv-3065, A Notice of Removal Filed by various Defendants, 08-cv-3086, The Summons and Complaint for the Action Commenced in New York Supreme Court, Plaintiff's Statement Pursuant to Bankruptcy Rule 9027, 07-md-1902 and 08-cv-3065, Plaintiffs' Statement Pursuant to Bankruptcy Rule 9027, 07-md-1902 and 08-cv-3086, A Notice of Appearance for David Molton, 07-md-1902 and 08-cv-3065, A Notice of Appearance for Andrew Dash, 07-md-1902 and 08-cv-3065, A Notice of Appearance for David Molton, 07-md-1902 and 08-cv-3086, A Notice of Appearance for Andrew Dash, 07-md-1902 and 08-cv-3086a and Plaintiffs' Demand for Jury Trial, 08-cv-3065, 08-cv-3086 upon Beckenham Trading Co. Inc. c/o Andrew Krieger(Northbridge Capital Management) at 115 River Road, Suite 108, Edgewater, NJ 07020, by personally delivering and leaving the same with Mary Fiorenza, who informed deponent that she is authorized by appointment to receive service at that address.**

Mary Fiorenza is a white female, approximately 46 years of age, stands approximately 5 feet 7 inches tall and weighs approximately 140 pounds with shoulder length blonde hair and blue eyes.


TIMOTHY M. BOTTI #843358

Sworn to before me this
21st day of April 2008


NOTARY PUBLIC

JONATHAN T. RIPPS
Notary Public, State of New York
NO. 0186109718
Qualified in Rockland County
Certificate Filed in New York County
Commission Expires May 17, 20 